

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No. 04-30072-MAP

JOSEPH ROSEMOND,)
Plaintiff)
)
v.)
)
STOP AND SHOP SUPERMARKET)
COMPANY,)
Defendant)
)
)
_____)

PLAINTIFF'S MOTION FOR LEAVE TO
FILE PRETRIAL MEMORANDUM
LATE AND TO CONTINUE PRETRIAL CONFERENCE

Now comes the Plaintiff and through his undersigned counsel hereby moves for leave to file his pretrial memorandum on Monday, December 18, 2006 and to continue the final pretrial conference in this matter which is scheduled on December 20, 2006, to a date after January 2, 2007.

As the basis for this motion, Plaintiff's counsel represents that she started a jury trial on December 14, 2006 in Hampden County Superior Court. The trial is expected to last through Wednesday, December 20, 2006, therefore counsel for the Plaintiff will not be available to attend the pretrial conference. Counsel for the Defendant assents to the continuance of the pretrial conference.

Plaintiff also moves for leave to file his pretrial memorandum on December 18, 2006. The basis for this request is that despite diligent efforts, Plaintiff's counsel has not completed the pretrial memorandum due in large part to preparation and attendance at the trial in Superior Court.

WHEREFORE, the Plaintiff moves to reschedule the final pretrial conference from December 20, 2006 to a date after January 2, 2007 and for leave to file his pretrial memorandum on December 18, 2006.

Respectfully submitted,
The Plaintiff, Joseph Rosemond,
By His Attorney,

/s/ Tani E. Sapirstein
Tani E. Sapirstein, Esq.
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Date: December 18, 2006

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above document was served upon the following,
via first class mail, postage prepaid, to:

Lisa J. Damon, Esq.
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/s/ Tani E. Sapirstein
Tani E. Sapirstein

Date: December 18, 2006